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Too phctestimony@cga.ct.gov
Room 3000 of the LOB by 11 a.m. on Wednesday

Support of SB 918_____

AND_____

ADA OBJECTION PROTEST COMPLAINT

Demands for REMEDIES/on/or

**About ADA All ADA Program Manager's & State of Conn Judicial Branch
and All State Departments of Conn that Services the Public.**

**PLEASE look to the 1991 Regs coupled with the TAM for their preamble as
best explanation of "public entities" ""****responsibilities****""!!!**

**From that, you can best tell if the Conn" was, is, will be tomorrow",
compliant to Title II of the ADA and for subcontractors of state they hold
not only Title II but also Title III obligations .**

**Please understand and Request For debating me if you wish or need, but if
Conn is non compliant similar too, than you Donna the Jane and John,**

Doe's citizens AND you JANE and JOHN "Donna" DOE's "professional, attorneys" have the 2 (two) separate equal and the same "complaint/testimonials.

No administrative compliance = no ADA compliance = all persons and attorneys have been, are, and will continue to be excluded from participation, denied the benefits of services programs activities of Conn, and discriminated against by reason of disability by the public entity known as the Conn services to the Public.

Including but not limiting to the following:

Violation and non-compliance of Settlement Agreement between the United States Department of Justice and the Connecticut Judicial Branch, November 2003 and;

Violations and non-compliance of Settlement Agreement in Raymond v. Rowland Civil Action NO. 3:03CV0118 (MRK) May 31, 2007 (Only 1 Conn. Administration)All of State Actors & Players and State Contractors whom with invidious animus intent, effect or both of

1. Denial of 28 CFR 35.107 - Designation of responsible employee
2. Designation of responsible employee. A public entity that employs 50 or more persons shall designate at least one employee to coordinate its efforts to comply with and carry out its responsibilities under this part, including any investigation of any complaint communicated to it alleging its noncompliance with this part or alleging any actions that would be prohibited by this part. The public entity shall make available to all interested individuals the name, office address, and telephone number of the employee or employees designated pursuant to this paragraph.
3. Denial of an ADA title II and III adoption of grievance procedures. AS today the only thing you have is a Title I grievance procedures.. We the

People use your services reject as we are not employee of the state of Conn. So stop Applying Title I to the public.

4. Denying qualified individuals the opportunity to participate in or benefit from federally funded programs, services, or other benefits.
5. Denying individuals with disabilities an equal opportunity to receive State program benefits and services.
6. Denying access to programs, services, benefits or opportunities to participate as a result of physical barriers.
7. Denying employment opportunities, including hiring, promotion, training, and fringe benefits, for which they are otherwise entitled or qualified....
8. Denying the disable State of Conn. ADA Administrative Procedures for the enforcement of ADA title II and title III.
9. Denying Path for internal or external ADA Administrative hearings.
10. Denying the disable State of Conn. Policies, Procedures, grievances' and Notice of Safe Guards for the ADA of title II and title III.
11. Denying of compliance reviews of public entities under title II and title III of the ADA.
12. Denying the Civil Rights of the disable to have Association Rights with Persons with Out an Disabilities

13. Over All Denying the disabled rights for and to have modification without Applying the Denial to that persons Disability requesting.
14. Failure to develop a list of modification for a disable to review and can “pick” what “best ensures” modification will work “Best” for their “Needs” to ensure effective communication with all.
15. Failure to put in place a path for the disabled to refuses your modifications and allowing the disabled to show or get a better medication that works Best for their Disability's.
16. Willingly Excluding disabled by the effect/No effect of not recognizing the disabled needs or because of their known relationship or association with other persons.
17. No promoting of the overall effectiveness of its Enforcement Program.
18. No Fourteenth Amendment Civil Rights in Case of the disable in Sate of Conn Courts.
19. Failure to comply with the nondiscrimination Requirements.
20. Failure to create a Non-Discrimination Policy Statement for services of the judicial branch (State Actors)
21. Failure to create a Non-Discrimination Policy Statement for your Vendors (state players)
22. Failure to provide clear, strong, consistent, enforceable standards addressing discrimination against individuals with disabilities; By state actor or Players

23. Failure to make the authority to conduct compliance reviews consistent with that available under section 504 and title VI. See, e.g., 28 CFR 42.107(a).
24. Failure of 28 CFR 42.107 “(b) The designated agency may conduct compliance reviews of public entities in order to ascertain whether there has been a failure to comply with the nondiscrimination requirements of this part.”
25. Failure to providing services to qualified individuals with disabilities in community-based settings, as long as such services are appropriate to the needs of those individuals. These agencies should provide technical guidance and work cooperatively with States to achieve the goals of Title II of the ADA [42 U.S.C. 12131 et seq.]
26. Failure to comply with the ADA’s integration requirement, a state must reasonably modify its policies, procedures, or practices when necessary to avoid discrimination. 28 C.F.R. § 35.130(b)(7).

Please refer your self to the ADA Regulations (<http://www.ada.gov>) and the ADA Technical Assistance Manual(<http://www.ada.gov/ta-pubs-pg2.htm>)

In particular to begin with, the TAM section (Title II Technical Assistance Manual)

The Americans with Disabilities Act

Title II Technical Assistance Manual

Covering State and Local Government Programs and Services

<http://www.ada.gov/taman2.html>

and "Administrative Responsibilities" and the same in the Reg's

[II-8.0000 ADMINISTRATIVE REQUIREMENTS](#)

[II-8.1000 General.](#)

[II-8.2000 Self-evaluation.](#)

[II-8.3000 Transition plan.](#)

[II-8.4000 Notice to the public.](#)

[II-8.5000 Designation of responsible employee and development of grievance procedures.](#)

Good day my name is Henry J Martocchio I am in support of SP 118...and All ADA rights to Have!

Today I am here to testify in regards to discrimination in the ongoing concerns I have for every disabled person in the State of Connecticut. You ask yourself how this may can sit here and claims That the State of Connecticut is Discriminating?? Real simple noncompliance he is American disabilities act..

No matter how much money you may spend or not spend the facts are we do not have the does need a responsible play 28 CFR 35.107. We have a set minimum Of the ADA Title II and title III of the American disabilities act and the department Of Justice has giving guidelines to the states and This state has entered into a settlement agreement in 2007 called Raymond V. Roland of 2007.

Yet today after agreeing to this settlement agreement, we still don't even have the basic 14th Due process rights for the disabled to have a procedural safeguard. A voice With/For the legislative building a person to ensure that no departmental agencies Can or will discriminate with non-discriminatory policies and procedures, let alone everyone here thinks they have **sovereign immunity**.
Wrong

Congress has the power under Section 5 of the Fourteenth Amendment to abrogate the States' sovereign immunity in cases implicating the fundamental right of access with effective communications with all.

You and your friends and all (judges) With no ADA Committee also directly by statute, Must provide for remedies in Equal Protection of law and liberties interest.

And without having!! its called discrimination that simple ladies and gentlemen. What is an ignorant parent of a disabled child seeing how the state actors and players willingly ignore their mandates? But see here today and has thousands of people to come forward and tell their deep dark disabled secrets and air them out to the community.

I find is absolutely disgusting even after I put in multiple complaints demands for remedy of policies and procedures and responsibilities on each you and every department of the state and any service to the public that is funded by state tax dollars or by federal grants and tax dollars or incentives.

Newsflash Congress took away your **sovereign immunity**. why because Conn takes federal tax dollars for other programs after you freeze up multiple tax dollars to ensure a quality of life for the disabled residents within the state will be services, activities and understanding but most of all the state shall lay out the 14th amendment due process rights are protected class of citizens

Sitting here today one of my not good enough to get into a debate with You the reader. What I put in a complaint I've put in demands for Remedies..

so that means if you don't have enough go find somebody that's going to debate me because that is the law .

my federal removal on the state is coming and I am showing exhausted all paths that are supposed to be there to have to ensure and I will show you wanton , malice attempts by state actors the state players to continue to suppress a protected class of citizens of the state of Connecticut and to stay to Connecticut does not want to be compliant of the American disabilities act let alone fund any services I'll have a great impact on the quality of life of their citizens that live every day with a disability.

Is the disabled not worthy of your full attention services and activities are we just going to sit here and layout no path so we cannot get into this heated

debate on what is your affirmative responsibilities of the state actors and players let alone subcontractors.

For 2015 this is my second complaint with demands for Path of remedy and you can start with fully funding this program then figure out what you're going to have contact me because it is my right to have an answer on my complaint as applied.

**Henry J. Martocchio Pro Se / with All Disabled People of Conn.
Asking for a path of remedy**

Settlement Agreement to be review but not limit too:

THE UNITED STATES OF AMERICA AND QUINNIPIAC UNIVERSITY UNDER
THE AMERICANS WITH DISABILITIES ACT 12/29/14

United States Department of Justice and the Connecticut Judicial Branch,
November 2003

Raymond v. Rowland Civil Action NO. 3:03CV0118 (MRK) May 31, 2007

THE UNITED STATES OF AMERICA AND HOSPITAL FOR SPECIAL CARE,
NEW BRITAIN, CONNECTICUT UNDER THE AMERICANS WITH
DISABILITIES ACT DJ # 202-14-147

THE UNITED STATES OF AMERICA AND THE CITY OF NEW HAVEN,
CONNECTICUT Department of Justice Complaint Nos. 204-14-143/204-14-144
THE UNITED STATES AND THE LEARNING CLINIC DJ # 202-14-133

The United States of America and Silver Hill Hospital, for Complaint DJ# 202-
14-44

Connecticut Early Learning Center to Ensure Equal Opportunity for Children with
Autism June 28, 2011

Connecticut Office of Protection and Advocacy v. State of Connecticut – 3:06-
CV-179 – (D. Conn. 2006)

THE UNITED STATES OF AMERICA AND THE CITY OF ANSONIA,
CONNECTICUT

DEPARTMENT OF JUSTICE COMPLAINT NUMBER 204-14-150

THE UNITED STATES OF AMERICA AND TOWN OF ROCKY HILL,
CONNECTICUT UNDER THE AMERICANS WITH DISABILITIES ACT DJ # 202-
14-117

THE UNITED STATES OF AMERICA, MICHELLE DUPREY, THE CITY OF HARTFORD, CONNECTICUT INNOVATIONS, INC., AEG MANAGEMENT CT LLC, NORTHLAND TRUMBULL BLOCK LLC, NORTHLAND TOWER BLOCK LLC, AND THE UNIVERSITY OF CONNECTICUT UNDER THE AMERICANS WITH DISABILITIES ACT DJ# 202-14-105

THE UNITED STATES OF AMERICA AND CROWN THEATERS
DEPARTMENT OF JUSTICE COMPLAINT NUMBER 202-14-34

THE UNITED STATES OF AMERICA AND HARTFORD, CONNECTICUT UNDER THE AMERICANS WITH DISABILITIES ACT DJ 204-14-130
THE UNITED STATES OF AMERICA AND THE TOWN OF WINDHAM, CONNECTICUT DEPARTMENT OF JUSTICE COMPLAINT NUMBER 204-14-108
THE UNITED STATES OF AMERICA AND THE TOWN OF POMFRET, CONNECTICUT, UNDER THE AMERICANS WITH DISABILITIES ACT DJ 204-14-135

UNITED STATES OF AMERICA, Plaintiff-Intervener, v. MIDDLESEX MEMORIAL HOSPITAL, et al., No. 395-CV-02408 (AHN)

1994 class action *Messier v. Southbury Training School (STS)*.

U.S. District Court on July 12, 2010 As a result of the Order approving the *Messier Settlement Agreement*, the DDS affirms the commitment that professional judgment will be rendered by each interdisciplinary team at STS for each class member, and will include recommendations for the “most integrated setting” appropriate to the individual’s needs. For purposes of the Agreement, the “most integrated setting” is defined as “a setting that enables individuals with disabilities to interact with non-disabled persons to the fullest extent possible.” 28C.F.R. pt. 35 app. A at page 571 (2009); *Olmstead*, 527 U.S. at 592.

U.S. District Court Approves Settlement; Individuals With Mental Illness To Live In Community-Based Residences With Support

Hartford, CT, July 2, 2014 – Approximately 130 people with mental illnesses currently housed in two nursing homes in Connecticut will be able to live in community residences and receive appropriate support services under a settlement approved today by a federal judge. Approval of the agreement was obtained by the Connecticut Office of Protection and Advocacy for Persons with Disabilities (OPA), supported by the Judge David L. Bazelon Center for Mental Health Law, and the law firm Stroock & Stroock & Lavan LLP.

U.S. District Court Judge Alvin W. Thompson approved the agreement, which resolves a lawsuit OPA filed seeking to require the State of Connecticut to meet its obligation under the Americans with Disabilities Act and the U.S. Supreme Court’s *Olmstead* decision to provide housing for people with mental illness in the most integrated setting with appropriate supports, rather than in nursing homes.